



February 17, 2009

HOUSE BILL No. 1302

DIGEST OF HB 1302 (Updated February 12, 2009 10:19 am - DI 107)

Citations Affected: IC 20-19.

Synopsis: School based behavioral supports and services. Requires the department of education (department), with assistance from the department of child services and the division of mental health and addiction, to develop and coordinate school based behavioral supports and services (supports and services) for children. Provides that a child may only participate in a supports and services program if a parent provides written consent. Requires the department to submit a report to legislative council regarding statistics and data concerning the number of schools providing supports and services programs and the department's plan to implement supports and services programs.

Effective: July 1, 2009.

Pryor, Barnes

January 13, 2009, read first time and referred to Committee on Family, Children and Human Affairs.
February 16, 2009, amended, reported — Do Pass.

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February 17, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1302

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-19-6 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2009]:

4 **Chapter 6. School Based Behavioral Supports and Services**

5 **Sec. 1. As used in this chapter, "wraparound services and**
6 **supports" refers to school, community and family partnerships to**
7 **support the development of school based behavioral supports and**
8 **services and early intervention for all children and families.**

9 **Sec. 2. The department, with assistance from the department of**
10 **child services and the division of mental health and addiction, shall**
11 **develop and coordinate a school based behavioral supports and**
12 **services to support:**

13 (1) early intervention;

14 (2) family based wraparound services and supports; and

15 (3) counseling and social work services.

16 **Sec. 3. The school behavioral support and services under section**
17 **2 of this chapter must include:**

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(1) analysis of school and community data includes, but is not limited to census, mobility, achievement, disciplinary outcomes, graduation, dropout and employment data, with a focus on cultural responsiveness, equity, and disproportionality by the partnership to determine the needs of a community;

(2) identification and promotion of resources by the school, community, and family partnership to meet the specific needs of children and families;

(3) procedures to coordinate provider services, interagency, and school referral networks for children and families;

(4) guidelines for incorporating school based behavioral supports and services into school and community educational services;

(5) guidelines for training and deploying school based personnel to improve school based discipline and behavioral management; and

(6) evidence based prevention and intervention school and community services and supports for children and family based on the appropriate academic, social, cultural, emotional, and behavioral needs.

Sec. 4. (a) A child may only participate in a school based behavioral supports and services under this chapter if a parent provides written consent.

(b) A parent who signs a written consent under subsection (a) may withdraw the parent's consent for the parent's child to participate in a school based behavioral supports and services at any time.

Sec. 5. (a) The department shall submit a report to the legislative council before November 1 of each year.

(b) The report must include:

(1) statistics and data concerning the number of schools providing school based behavioral supports and services; and

(2) the department's plans to implement school based behavioral supports and services throughout the state.

(c) The report submitted to the legislative council must be in an electronic format under IC 5-14-6.

Sec. 6. The department may adopt rules under IC 4-22-2 to administer this chapter.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1302, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 1, delete "31-26-7" and insert "20-19-6".

Page 1, line 4, delete "7. Behavioral Health Program" and insert "**6. School Based Behavioral Supports and Services**".

Page 1, line 5, delete "treatment".

Page 1, line 6, delete "services"" and insert "**services and supports**".

Page 1, line 6, delete "support networks that are characterized by the" and insert "**school, community and family partnerships to support the development of school based behavioral supports and services and early intervention for all children and families.**".

Page 1, delete lines 7 through 9.

Page 1, line 10, delete "(a)".

Page 1, line 10, delete "in cooperation".

Page 1, line 10, after "with" insert "**assistance from**".

Page 1, line 11, delete "education" and insert "**child services**".

Page 1, line 12, delete "a behavioral health program to provide:" and insert "**a school based behavioral supports and services to support:**".

Page 1, delete lines 13 through 14.

Page 1, line 15, delete "(2)" and insert "**(1)**".

Page 1, line 16, delete "(3)" and insert "**(2)**".

Page 1, line 16, delete "treatment services;" and insert "**services and supports;**".

Page 1, line 17, delete "(4) positive, school based behavioral support, including" and insert "**(3) counseling and social work services.**".

Page 2, delete lines 1 through 12.

Page 2, line 13, delete "behavioral health program" and insert "**school behavioral support and services**".

Page 2, delete lines 15 through 29, begin a new line block indented and insert:

"(1) analysis of school and community data includes, but is not limited to census, mobility, achievement, disciplinary outcomes, graduation, dropout and employment data, with a focus on cultural responsiveness, equity, and disproportionality by the partnership to determine the needs

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of a community;

(2) identification and promotion of resources by the school, community, and family partnership to meet the specific needs of children and families;

(3) procedures to coordinate provider services, interagency, and school referral networks for children and families;

(4) guidelines for incorporating school based behavioral supports and services into school and community educational services;

(5) guidelines for training and deploying school based personnel to improve school based discipline and behavioral management; and

(6) evidence based prevention and intervention school and community services and supports for children and family based on the appropriate academic, social, cultural, emotional, and behavioral needs."

Page 2, line 30, after "4." insert "(a) A child may only participate in a school based behavioral supports and services under this chapter if a parent provides written consent.

(b) A parent who signs a written consent under subsection (a) may withdraw the parent's consent for the parent's child to participate in a school based behavioral supports and services at any time.

Sec. 5. (a) The department shall submit a report to the legislative council before November 1 of each year.

(b) The report must include:

(1) statistics and data concerning the number of schools providing school based behavioral supports and services; and

(2) the department's plans to implement school based behavioral supports and services throughout the state.

(c) The report submitted to the legislative council must be in an electronic format under IC 5-14-6.

Sec. 6. "

and when so amended that said bill do pass.

(Reference is to HB 1302 as introduced.)

SUMMERS, Chair

Committee Vote: yeas 11, nays 1.

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